

UNITED STATES DISTRICT COURT
DISTRICT OF OREGON

UNITED STATES OF AMERICA,
Plaintiff,

Case No. 3:17-cr-00400-HZ
TRIAL MANAGEMENT ORDER

v.

JASON PAUL SCHAEFER,
Defendants.

HERNANDEZ, Judge:

A. If the matter will proceed to trial, no later than TWENTY-ONE (21) days prior to the scheduled trial date, counsel shall so notify the courtroom deputy and file pretrial documents (see below). When notified that the case is ready to proceed to trial, the court will schedule a pretrial conference.

Pretrial documents shall be filed as follows:

- (1) **Twenty-One** days prior to the scheduled trial date, the parties shall simultaneously file:
 - (a) all motions *in limine*;
 - (b) trial memoranda;
 - (c) requested jury instructions (follow Ninth Circuit Model Jury Instructions when possible and also submit the jury instructions, in Word format, as an attachment to an e-mail

to the courtroom deputy);

(d) proposed *voir dire* questions;

(e) exhibit list and exhibits (a copy of each numbered, copy-able exhibit shall be supplied to the court and opposing counsel; original exhibits shall be submitted at the time of trial; both the original and the judge's copies of exhibits shall be three-hole punched and placed into binders with clearly marked index tabs; and all staples and clips shall be removed from the exhibits which are placed in the three-ring binders);

(f) expert witness list and summaries of any expert testimony;

(g) proposed verdict form (also submit the verdict form, in Word format, as an attachment to an e-mail to the courtroom deputy);

(h) the Government shall file a complete witness list.

(2) **At least FOURTEEN (14) days** prior to the scheduled trial date, any responses to the above documents shall be filed.

The courtroom is equipped with digital evidence presentation. Counsel is encouraged to use this equipment during trial. Arrangements can be made for the use of the equipment by contacting the Courtroom Deputy, at (503) 326-8051 at least one week before trial. Houston Bolles, Courtroom Technology Administrator (503) 326-8181, will arrange to demonstrate the equipment upon request, but you must make arrangements for this prior to trial.

OR,

B. If the matter will not proceed to trial, no later than FOURTEEN (14) days prior to the scheduled trial date, counsel shall set a plea hearing with the courtroom deputy or file a motion to continue the trial date. Any motion to continue a criminal trial shall include the filing of a declaration or affidavit containing:

(a) a statement of the number and length of previous continuances;

(b) a proposed trial date and the specific and detailed reason for the continuance stated

with sufficient specificity to permit the Court to make findings of the necessity for a continuance. If necessary to prevent disclosure of work product or other privileged material, a party may submit an additional affidavit under seal setting out the facts that warrant a continuance;

(c) a representation that the defense attorney has spoken to his or her client and the client agrees with the continuance, understands the rights provided by the Speedy Trial Act, and waives those rights in light of the reason for the continuance. Attorneys may only speak for their own clients. The client's written consent for continuance may be filed instead; and,

(d) the positions of all other parties, including the government, concerning the proposed continuance. (In cases with multiple defendants being tried together, the position of each defendant must be provided to the Court by each defendant's attorney in the form of a declaration or affidavit.)

NOTE: Defendants will not be taken off the U.S. Marshal's transport list until acceptable submissions are received and the motion to continue the trial date is granted. **Status conference may be required by the court upon the filing of any motion to continue.**

If any change in trial date is granted, the timeframes set out in this order shall apply to any new trial date.

IT IS SO ORDERED.

DATED this 19th day of December, 2017.

/s/ Marco A. Hernandez

MARCO A. HERNANDEZ
United States District Judge